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February 16, 2005

David G. Tobin
Assistant U.S. Attorney
John J. Moakley Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210

Re: United States v. Carlos Espinola, et al.
Criminal No. 04-10288-RWZ

Dear Mr. Tobin:

Pursuant to Local Rule 116.3(A), I am requesting the following discovery:

1. Real Evidence

An opportunity to inspect and to copy or photograph any and all relevant books, papers, documents, data, photographs, and tangible objects, other than the video and audio tapes already disclosed, in the possession, custody, or control of the government in this case, whether or not the government intends to use them at trial.

2. Bill of particulars (See Rule 7(f), F.R.Crim.P.)

- A. The date the defendant is alleged to have joined the conspiracy charged in Count One of the Indictment;
- B. A description of the action(s) by which the defendant is alleged to have joined the conspiracy charged in Count One of the Indictment;
- C. The date(s) and location(s) of any overt act(s) allegedly committed by the defendant in furtherance of the conspiracy charged in Count One of the Indictment;

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- D. A description of any overt act(s) allegedly committed by the defendant in furtherance of the conspiracy charged in Count One of the Indictment;
- E. The names of all witnesses to the defendant's alleged criminal conduct in violation of 21 U.S.C. §846 as alleged in Count One of the Indictment.

3. Expert Witnesses

Pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G), a written summary of any testimony that the government intends to use under Rules 702, 703, or 705 of the Federal Rules of Evidence during its case-in-chief at trial, describing the witness' opinions, the bases and reasons for those opinions, and the witness' qualifications.

4. Prior Bad Acts

A description of any prior bad acts allegedly committed by the defendant about which the government intends to introduce evidence at trial pursuant to Federal Rule of Evidence 404(b). The defendant also requests the names and addresses of any witnesses to these alleged acts whom the government intends to call at trial.

5. Exculpatory Evidence

- A. Any statement made by any co-defendant in this case during a proffer session with the government or during testimony before the Grand Jury that tends to exculpate the defendant; and
- B. Any statement made by any other person during a proffer session with the government or during testimony before the Grand Jury that tends to exculpate the defendant.

6. Witness List

The names, addresses and birth dates of all witnesses the government intends to call during its case-in-chief at trial.

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7. Reports

All reports relevant to this case which were prepared by percipient law enforcement officers and not previously disclosed to the defendant.

8. Custodial Admissions of Co-Defendants

All custodial admissions made by any co-defendant in this case which the government intends to introduce into evidence at trial.

9. Video and Audio Recordings

- A. A listing of any and all video or audio recordings that the government intends to introduce into evidence against the defendant at trial;
- B. The legal authority under which any such video or audio recording was made; and
- C. The legal authority under which the government intends to introduce any such video or audio recording into evidence at trial.

10. Co-Conspirator Statements

All statements by any co-defendant which the government intends to offer into evidence at trial as co-conspirator statement under Federal Rule of Evidence 801(d)(2)(E).

11. Admissions

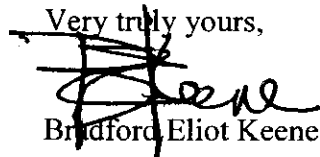
All statements by the defendant which the government intends to offer into evidence at trial as an admission under Federal Rule of Evidence 801(d)(2)(A) or (B).

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Please call me if you have any questions about these requests or wish to discuss them.

Very truly yours,

A handwritten signature in black ink, appearing to read "B. Keene", is written over the typed name. The signature is stylized with a large, looped "K".

Bradford Eliot Keene

BEK;jlh

cc: Jay Johnson, Docket Clerk to the Honorable Rya W. Zobel
Lisa Roland, Courtroom Clerk to the Honorable Charles B. Swartwood, III